

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION**

**NATASHA TRISLER and HEATHER  
SAVAGE, individually and on behalf of  
others similarly situated,**

**CIVIL ACTION NO.:**

**VERSUS**

**JUDGE:**

**LIFESHARE BLOOD CENTERS**

**MAGISTRATE:**

---

**NOTICE OF REMOVAL TO THE UNITED STATES  
DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA**

NOW INTO COURT, through undersigned counsel, comes **LIFESHARE BLOOD CENTERS** ("LifeShare"), petitioner herein, who, while reserving any and all available defenses, with respect, represents as follows:

**Facts**

1.

LifeShare is the sole defendant in the action entitled *Natasha Trisler and Heather Savage, individually and on behalf of others similarly situated v. LifeShare Blood Centers*, Case No. 258,107-G, Ninth Judicial District Court, Rapides Parish, Louisiana.

2.

The action identified in paragraph 1 was commenced by plaintiffs, Natasha Trisler and Heather Savage, on February 16, 2017 and is now pending. In the petition, Plaintiffs assert that Defendant deprived them and other similarly situated individuals of wages in violation of the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq.* Petition, ¶ 2 and Count I ¶¶ 23-31. Alternatively, based on the same alleged facts, Plaintiffs alternatively assert that Defendant's actions

constitute torts under Louisiana law. Petition, Counts II and III. LifeShare, through its registered agent, was served with process on March 6, 2017.

3.

Copies of all process, pleadings, and orders filed in the state court record are attached. *See infra*, ¶ 12. Plaintiffs have not demanded a jury trial in their petition.

4.

As of the filing hereof, LifeShare has not filed any pleadings responsive to the Petition nor has it engaged in any discovery since being served with process.

5.

This Court has original jurisdiction over this matter under 28 U.S.C. § 1331 as it is a civil action based upon federal question jurisdiction. Removal of this action to this court is authorized pursuant to 28 U.S.C. §§ 1441 and 1446.

#### **Federal Question Jurisdiction**

6.

The Plaintiffs' petition in the state court action purports to assert a claim for failure to pay minimum wage and/or the requisite amount of overtime pay under FLSA for one or more workweeks and seeks remedies under FLSA as amended.

7.

This Notice of Removal is timely under 28 U.S.C. § 1446. LifeShare is filing this notice within 30 days of service of Plaintiffs' petition which contains the federal claims and from which it was first ascertained that the case is one which has become removable.

8.

The Court has supplemental jurisdiction over all other claims asserted by Plaintiff in accordance with 28 U.S.C. §§ 1367 and 1441 as the state law claims are based on the same facts which give rise to the federal claims and are within the same case or controversy. *See, e.g., Lang v. DirecTV, Inc.*, 735 F. Supp.2d 421, 426-30 (E.D. La. 2010).

9.

LifeShare files and presents herewith the sum of \$350.00 as required by 28 U.S.C § 1914(a).

10.

A copy of this Notice of Removal has been sent to all counsel of record, and will be filed with the clerk of the Ninth Judicial District Court, Rapides Parish, Louisiana.

**Reservation of All Defenses**

11.

LifeShare specifically reserve any and all defenses available to it, including, but not limited to, the defense that Plaintiffs have failed to state a cause of action upon which relief can be granted.

**State Court Pleadings**

12.

LifeShare files herewith a copy of all pleadings filed in this action, to-wit:

- (1) Faxed letter and faxed Petition for Damages, which was filed in the Ninth Judicial District Court, Parish of Rapides, Louisiana, filed on February 16, 2017;
- (2) Original Petition for Damages and cover letter, which was filed in the Ninth Judicial District Court, Parish of Rapides, Louisiana, filed on February 22, 2017;
- (3) Citation served on LifeShare Blood Centers; and
- (4) Notice of Filing of Notice of Removal submitted on March 20, 2017.

WHEREFORE, petitioner, LIFESHARE BLOOD CENTERS, prays that this action be removed from the Ninth Judicial District Court, Rapides Parish, Louisiana, to the United States District Court for the Western District of Louisiana, Alexandria Division.

BY ATTORNEYS:

KEAN MILLER LLP

By: /s/ Brian R. Carnie  
S. Price Barker (LA Bar # 19472)  
Brian R. Carnie (LA Bar # 30868)

333 Texas Street, Suite 450  
Shreveport, LA 71101  
318.562.2700 (main)  
318.562.2751 (facsimile)  
[brian.carnie@keanmiller.com](mailto:brian.carnie@keanmiller.com)  
[price.barker@keanmiller.com](mailto:price.barker@keanmiller.com)

***ATTORNEYS FOR LIFESHARE BLOOD  
CENTERS***

**CERTIFICATE**

I HEREBY CERTIFY that I have this day mailed a copy of the above and foregoing to all counsel by sending same via email and overnight delivery, properly addressed, and with sufficient postage affixed thereto.

Shreveport, Louisiana, this 20<sup>th</sup> day of March, 2017.

/s/ Brian R. Carnie  
OF COUNSEL